

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

PHYLLIS J. KENNEDY,	:	
	:	
Plaintiff,	:	Case No. 3:15cv00059
	:	
vs.	:	
	:	District Judge Thomas M. Rose
CAROLYN W. COLVIN,	:	Chief Magistrate Judge Sharon L. Ovington
Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

The Court has reviewed the Report and Recommendations of Chief United States Magistrate Judge Sharon L. Ovington (Doc. #13), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on January 13, 2016 (Doc. #13) is **ADOPTED** in full;
2. The Commissioner's Motion to Remand (Doc. #11) is **GRANTED**, in part, as to the requested remand to the Social Security Administration, and **DENIED**, in part, as to the request for further administrative proceedings;
3. The Commissioner's non-disability finding is reversed;

4. This matter is remanded to the Social Security Administration under Sentence 4 of 42 U.S.C. §405(g) for payment of benefits regarding Plaintiff Phyllis J. Kennedy's consolidated applications and benefits are awarded to Kennedy for the remaining period at issue in those applications; and
5. The case is terminated on the docket of this Court.

February 2, 2016

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge